

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

V.

Criminal No. 22-284

**STEVEN BALDWIN,
TARIQ SIMMONS,
ROBERT BLAKE,
ROBERT MORRISSEY, JR.**

PRETRIAL SCHEDULING ORDER

AND NOW, this 13th day of March 2024, it is hereby ORDERED as follows:

A. Pretrial Order

1. **Jury Selection & Trial.** Jury selection is scheduled for **June 11, 2024**, at 9:00 AM, in Courtroom 8A, 8th Floor, United States Courthouse, 700 Grant Street, Pittsburgh, Pennsylvania. Trial will begin immediately after jury selection.

2. **Final Pretrial Conference:** A Final Pretrial Conference: is set for **May 21, 2024** at 10:00 AM in Courtroom 8A, 8th Floor, United States Courthouse, 700 Grant Street, Pittsburgh, Pennsylvania.

3. Exchange of Witness Lists and Exhibits

a. **Government Witness List.** The government shall file with the Court a list of trial witnesses, under seal, listing separately the witnesses it will call and the witnesses it may call if needed (other than purely for impeachment or rebuttal). Said witness list need not be served on defendant and shall be due by **May 30, 2024**.

b. **Defense Witness List** . Defendant shall file with the Court, under seal, his or her list of trial witnesses, excluding defendant, listing separately the witnesses it will call and the witnesses it may call if needed (other than purely for impeachment or rebuttal). Said witness list need not be served on the government and shall be due by **June 4, 2024**.

c. **Exhibits**. Copies of exhibits to be displayed to the jury are to be provided to the Court in binders. Counsel shall plan to submit a copy of the Exhibit Binder to the Court in *the week prior to trial, but no later than the date set for jury selection*. Counsel shall provide to the Court Reporter copies of all exhibits referred to during the course of the trial.

Voluminous data shall be presented by summary exhibits pursuant to Fed. R. Evid. 1006, and voluminous exhibits shall be redacted to eliminate irrelevant material (which shall remain available for examination by opposing counsel). Where copies of documents are offered, the originals shall be available for examination, unless waived by stipulation.

4. Jencks Act - Impeachment Materials - Rule 404(b). The government shall provide defense counsel with copies of any Brady/Giglio exculpatory/impeachment materials not previously disclosed, as specified in a prior pretrial Order, which deadline is no later than **May 28, 2024**.

The government shall disclose (i) any evidence it intends to offer at trial of defendant's uncharged conduct or (ii) any evidence it intends to offer at trial falling within the purview of Federal Rule of Evidence 404(b), (iii) or any evidence or information the government intends to use pursuant to Federal Rule of Evidence 609), as specified in a prior pretrial Order, which deadline is no later than **May 21, 2024**.

The government is encouraged to provide all Jencks Act materials prior to the pretrial conference, or in the alternative, in sufficient time to permit counsel to review such materials so as to eliminate the need for a delay in the trial.

5. **Motions.** The parties shall file all motions in limine, including motions under Federal Rule Evidence 104(a) and motions to limit or sever issues, together with supporting briefs or memoranda of law by **May 7, 2024**.

Responses shall be filed by **May 14, 2024** to any motion being filed. All briefs supporting or opposing such motions are limited to five pages, unless enlarged by order of Court. The Court, in its discretion, may postpone consideration of such motions until a ruling is required during the trial.

6. **Neutral Summary, Voir Dire, Joint Proposed Jury Instructions, and Verdict Slip.**

Proposed Voir Dire and the Verdict Slip are both due by **May 2, 2024**. The Neutral Summary and the parties' Joint Proposed Jury Instructions are due by **May 9, 2024**. The Neutral Summary, Voir Dire, Joint Proposed Jury Instructions, and Verdict Slip must be submitted in Word compatible format via electronic mail to horan_chambers@pawd.uscourts.gov

a. **Neutral Summary of the Indictment** . A neutral summary of the indictment and a brief statement of the defense will be read to the venire before jury selection as required by Local Criminal Rule 24.2.A.2. Counsel shall confer and agree upon a neutral summary of the indictment¹ to be read to the venire. The brief statement of the defense, unless otherwise requested by counsel, will be stated substantially as: “[Defendant’s Name] *has pleaded “not guilty” to these charges, and he/she has elected to be tried by a jury.*”

b. **Voir Dire** . Voir Dire of jurors will be in accordance with Local Criminal Rule 24.2. Counsel are permitted to file in writing proposed supplemental voir dire questions to the questions set forth in Local Criminal Rule 24.2.B. and 24.2.C, and the Court’s standard questions.

c. **Joint Proposed Jury Instructions**. Counsel shall meet in an attempt to agree on a joint set of proposed substantive jury instructions regarding the offenses charged and their elements, the theory of the defense, and any matters particular or unique to this case; the parties need not submit “boilerplate” or standard criminal jury instructions. Counsel shall file a single, combined set of proposed jury instructions indicating the agreed upon instructions and the proposed instructions to which the parties have not agreed.

d. **Verdict Slip**. Counsel shall submit proposed Verdict Slips, or a Joint Proposed Verdict Slip.

¹ The neutral summary need not be detailed but shall contain a sufficient description so as to inform the venire of the nature of the charges. For example: unlawful possession of controlled substances, unlawful distribution of controlled substances, etc. (and identify the controlled substances, such as cocaine, heroin, fentanyl, etc.); unlawful possession of a firearm, possessing a firearm in furtherance of a drug trafficking crime; wire fraud; money laundering; etc.

7. **Joint Stipulations.** The parties shall file joint stipulations due by **June 5, 2024.**

Counsel shall meet at a mutually convenient time and place to produce the joint stipulation in time for filing as ordered. All possible stipulations shall be made as to:

- a. Facts;
- b. Issues to be decided;
- c. The authenticity and admissibility of exhibits;
- d. Expert qualifications and reports; and
- e. Deposition testimony to be read into the record.

BY THE COURT:

s/Marilyn J. Horan
Marilyn J. Horan
United States District Judge